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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,130	12/23/2005	Gianfranco Bedetti	9526-73	5561
30448	7590	01/14/2008		
AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188			EXAMINER GRAVINI, STEPHEN MICHAEL	
			ART UNIT 3749	PAPER NUMBER
			MAIL DATE 01/14/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/562,130

Applicant(s)

BEDETTI, GIANFRANCO

Examiner

Stephen Gravini

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Mandeville (US 2,635,684). The claims are reasonably and broadly construed to be disclosed by Mandeville as comprising:

A fluid bed (F1) granulation process of a predetermined substance at controlled temperature, comprising the steps of removing the finished hot granules from said granulation fluid bed (F1), cooling down said granules in a cooling fluid bed (F2), continuously formed and supported by a respective flow of fluidification air, characterized in that at least part of the fluidification air coming out from said cooling fluid bed (F2) of the finished granules is fed into the granulation fluid bed (F1), characterized in that all of the fluidification air fed into the granulation bed (F1) comes from the cooling bed (F2), characterized in that substantially all of the fluidification air coming out from the cooling bed (F2) is used as fluidification air for said granulation bed (F1), and a fluid bed (F1) granulation process of a predetermined substance at controlled temperature, comprising a step of cooling finished hot granules in a respective cooling fluid bed (F2), characterized in that it uses one single flow of fluidification air to continuously form and support, in order, said cooling and granulation fluid beds (F1, F2), substantially arranged in series with respect to said single flow, characterized in that the

finished granules of said substance are transferred substantially in a cascade to said cooling fluid bed (FI) as disclosed in column 1 line 30 through column 4 line 72.

Claim Rejections - 35 USC § 103

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandeville in view of Uhlemann et al. (US 5,213,820). Mandeville discloses the claimed invention, as rejected above, except for the claimed apparatus for carrying out the fluid bed granulation process at controlled temperature of claim 4, comprising a self-supporting structure (2) substantially shaped like a container, defining a granulation space (A) inside of it, in which a shelf (14) is positioned, intended to support a granulation fluid bed (FI), characterized in that it comprises, in said space (A), a further base plate (4), positioned below and in a predetermined distanced relationship from said shelf (14), said base plate (4) being intended to support a respective cooling fluid bed (F2) of hot finished granules coming from said granulation bed (FI), said cooling bed (F2) being in fluid communication with said granulation bed (FI) through said shelf (14), provided perforated, grated or in any case permeable to gas flows, a downcomer (16), extending vertically in said space (A), suitable for the transfer of finished granules from said granulation fluid bed (FI) to said cooling fluid bed (F2) at said further base plate (4), means for feeding and distributing (22, 19) fluidification air in said space (A) below said further base plate (4), to form and maintain said cooling bed (F2). and said granulation bed (FI), which are arranged in series with respect to said flow, characterized in that said downcomer (16) comprises a vertical panel (15) , supported in said space (A) in a predetermined spaced relationship from a wall (8) of said container

structure (2), defining with it an interspace (16), said panel (15) having a horizontal bottom side spaced from said further base plate (4), so as to define with it a passage (15a), suitable for putting said interspace (16) in communication with the space (A) above the aforementioned base plate (4), characterized in that said interspace (16) is in communication at the top with said space (A), through an opening (II) provided in it, , characterized in that said cooling fluid bed (F2) is in communication with the outside through a pocket (18) comprised between a wall (7) of said container structure (2) and a front panel (17) fixed to the base plate (4) supporting the cooling bed (F2) and preferably parallel to said top wall (7), and characterized in that said front panel 17 comprises a mobile bulkhead (21), adjustable in height. Uhlemann, another fluid bed apparatus process, discloses the recited features above at column 3 line 53 through column 4 line 28. It would have been obvious to add the recited features above to the teachings of Mandeville, as disclosed in Uhlemann, for the purpose of providing an efficient and cost effect means of cooling and processing granular materials in a fluid bed.

Response to Arguments

Applicant's arguments filed November 15, 2007 have been fully considered but they are not persuasive.

declaration

The oath is objected to based on comments in the previous Office action on the merits.

anticipation

Applicant argues that the claimed invention overcomes the prior art teachings of Mandeville because that reference is pertinent to prilling technology. The anticipatory rejection is believed proper because the structure and function claimed is anticipated by Mandeville. That reference teaches the structure and function of the claimed invention whether the invention pertains to the field fluid bed granulation of seeds or prilling.

The argued means for feeding and distributing air to form a cooling bed and granulation bed arranged in series with respect to a flow of air can be found in Mandeville at column 2 line 38 through column 3 line 37 wherein the disclosed cooling in the fluidized bed meets the claimed structure and function.

obviousness

Secondary reference Uhlemann was not cited to teach all elements of the claimed invention but rather that it would have been obvious to one skilled in the art to modify the teachings of Mandeville to arrive at the claimed invention, as rejected above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven B. McAllister can be reached on 571 272 6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMG
January 7, 2008

/Stephen Gravini/